



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

Case File No. NCST/ATY-470/MH/12/2022-APCR

Dated: 23.08.2022

To,

1. **Dr. Rajendra B. Bhosale**
District Collector & District Magistrate,
District - Ahmednagar,
Ahmednagar - (Maharashtra)
Email: Collector.ahmednagar@maharashtra.gov.in
2. **Shri Manoj Patil**
Superintendent of Police
Distt. Ahmednagar
State Highway 60, Near DSP Chowk,
Mukundnagar,
Ahmednagar - (Maharashtra)
Email: sp.ahmednagar@mahapolice.gov.in

Subject: Representation dated 06.06.2022 of Smt. Sangeeta Burkya Pawar W/o Shri Burkya Vacchya Pawar, Gram - Rashin, Tehsil Karjat, Distt. Ahmednagar, Maharashtra regarding atrocity, caste abuse and rape of her minor daughter (ST girl) and not action by the police against accused and also not provide victim compensation under SCs & STs (PoA) Act, 1989.

Sir,

I am directed to enclose herewith a copy of Minutes of the Sitting held on 18.07.2022 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 30 days positively from receipt of the letter for placing the same before the Hon'ble Commission.

Encl: as above

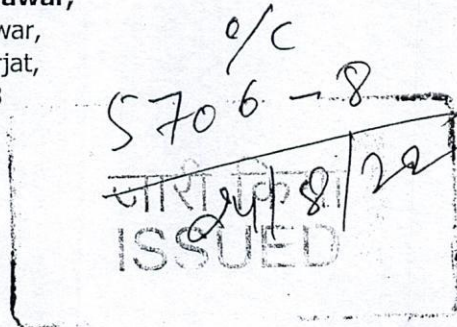
Yours faithfully,

(Signature)

(Deepika Khanna)
Assistant Director

Copy to:

Smt. Sangeeta Burkya Pawar,
W/o Shri Burkya Vachya Pawar,
Village --Rashin, Tehsil - Karjat,
Distt. Ahmednagar - 414403
Maharashtra



NCST NIC

NATIONAL COMMISSION FOR SCHEDULED TRIBES

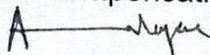
(F. No. NCST/ATY – 470/MH/12/2022-APCR)

Minutes of the Sitting held on 18/07/2022 at 4 PM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi regarding rape, abuse with caste remarks, and physically assault of 12 years old minor girl. Inaction and Failure of Kajrat Police. The petitioner and her family are threatened to be killed.

Date of the sitting: 18.07.22, 04.00 PM

Officials present in the sitting: The Deputy Superintendent and Additional District Collector, Karjat District, Ahmednagar

- In the present matter, the petitioner Shri Sangeeta Burkya, Pawar, Village – Rashin, Tehsil – Kajrat, District – Ahmednagar, Maharashtra alleged that four non – tribal people raped, physically assaulted and abused her minor daughter with caste remarks. Even after lodging an FIR at the Kajrat Police Station, the accused were not arrested.
- The Commission issued the notice to the District Collector and the Superintendent of Police on 09.06.2022 and sought the reply within 3 days of the receipt of the notice. An interim report was submitted on 10.06.2022 by the District Collector, directing the SP, Ahmednagar, SDO, Kajrat and Assistant Commissioner, Social Welfare, Ahmednagar to submit the report.
- In response to the summons issued by the Commission, the Deputy Superintendent and Additional District Collector, Karjat District, Ahmednagar appeared before the Commission on 18.07.2022. On behalf of the petitioner, Mr. Ishwar Kale, who is helping the family in the case, joined via video conferencing. The Deputy Superintendent and the Additional District Collector submitted the ATR reports by the respective departments.
- The Commission raised serious concern with regard to the arrest of the accused which did not happen yet. The DSP replied that they arrested one of the accused on 13.07.2022 and they are trying to arrest the other three as well.
- The Commission enquired why rape charge has not been included in the charge sheet. The DSP stated that the medical report did not mention rape but only physical assault and molestation. The Commission also enquired whether a social worker has been attached with the victim for the counselling and what the status of the compensation is. The Additional District Collector replied that INR 50000 preliminary government assistance has been provided to the victim and her family under the SC/ST Atrocities Act. Rest of the instalments of the compensation would be paid as the case would proceed. In regards to this reply, the Commission asked why the compensation was not paid under POCSO Act



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

as well. The Additional District Collector replied that he would look into it and take appropriate action as soon as possible.

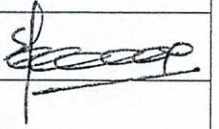


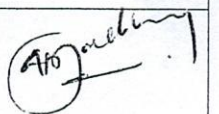
- After hearing both the sides, the Commission recommends the following: -
 - A detailed ATR to be sent within 3 days of the sitting.
 - The compensation to be decided and given under both POCSO and SC/ST Atrocities Act as per the State rules.
 - An inquiry to be conducted by the police to check whether rape was committed or not. If it is found to be a case of rape, S. 376 to be added in the supplementary charge-sheet immediately.
 - The other three accused to be arrested within 15 days of the sitting.
 - Victim Protection to be given to the victim, her family and the Mr. Ishwar Kale, the person who is helping the family in the case.
 - Psycho-Social counselling to be ensured to the victim girl.
 - Action Taken Report on the Recommendations of the Commission to be sent within 30 days.
- The Commission has scheduled the next date of sitting on 23.08.2022



अनंत नायक/ANANTA NAYAK
सदस्य/Member
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File No - NCST/ATY-470/MH/12/2022-APCR

Sitting to be held on 18.07.2022 at 04.00 PM in the case of Smt. Sangeeta Burkya Pawar W/o Shri Burkya Vacchya Pawar, Gram - Rashin, Tehsil Karjat, Distt. Ahmednagar, Maharashtra regarding atrocity, caste abuse and rape of her minor daughter (ST girl) and not action by the police against accused and also not provide victim compensation under SCs & STs (PoA) Act,1989. .

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.	J.S. WLS		
3.	S.P. Meera	Dy Director	
4.			
5.	Radhakanta Tripathy	Sr. Legal Advisor	
5.			
6.			
7.			
II	Officers from the District Ahmednagar, Maharashtra		
1.	Sonappa Basavant Yambur Additional collector.	collector office Ahmednagar	
2.	Annasaheb maruti Jadhav SPO Karjat	Ahmednagar	
3.			
4.			
5.			
III	Petitioner		
1.			
2.			